

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 3046 - HB 3598

March 1, 2012

SUMMARY OF BILL: Defines “tracking device” as an electronic or mechanical device with permits the tracking of a person or object. Creates a Class C misdemeanor offense for a law enforcement or investigative officer, or any person acting on behalf of or with the consent or knowledge of such officer, to install and use a mobile tracking device on or in any moveable item, container, vehicle, or other vessel with the intent to monitor or record the whereabouts of the person or object upon which or in which the tracking device is installed, or to obtain information or evidence about a person or object that could otherwise be obtained by lawful surveillance. Any evidence obtained as the result of unauthorized tracking is inadmissible in a court proceeding. Establishes the procedures for law enforcement or investigative officers or the district attorney general to apply to the court for use of a tracking device for a specified period of time for the following crimes: criminal homicide, conspiracy to commit criminal homicide, a Class A felony offense regarding the manufacture, delivery, sale, or possession with intent to manufacture, deliver or sell, a controlled substance, or a criminal gang offense by a criminal gang member or conspiracy to commit such offense. Establishes the procedures for the collection, maintenance, and disclosure of information obtained from a tracking device.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Any increase in caseloads for the courts, the District Attorney Generals Conference, and the District Public Defenders Conference can be accommodated within existing resources without an increased appropriation or reduced reversion.
- There will not be a sufficient number of misdemeanor prosecutions for state or local government to experience any significant increase in revenue or expenditures.

SB 3046 - HB 3598

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read 'Lucian D. Geise', written in a cursive style.

Lucian D. Geise, Executive Director

/lsc